

**REMARKS/ARGUMENTS**

**Claim Amendments**

Claims 1-10 and 13-21 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the following remarks.

**Claim Rejections – 35 U.S.C. § 102(e)**

Claims 1-7, 9, 10 and 15-18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Lin (US Patent Publication 2002/0196770). The Applicant respectfully traverses the rejection of these claims.

The Applicant's present invention provides a routing scheme where connectivity plane messages are routed to a mobile terminal via a connectivity plane network node within the geographical vicinity of the mobile terminal. Network control plane messages are separately routed to the network control plane node associated with the mobile terminal. Positional information identifying the location of the mobile terminal is used to select the appropriate connectivity plane node for routing connectivity plane messages. Routing information is used to identify the network control plane mode associated with the mobile terminal. In this manner, connectivity messages may be routed to the mobile terminal through a node selected to minimize system resources while network control messages are sent to the network control plane node associated with the mobile terminal via a potentially different set of intermediate nodes. Among other advantages, this technique permits the routing pathways for connectivity messages and network control messages to be separately optimized.

The Lin reference is cited for anticipating the Applicant's invention. Figure 5 of the Lin reference is cited as disclosing reaching a mobile terminal via two or more network nodes. The Applicant respectfully disagrees with the interpretation of the figure and the supporting specification. Lin does not show a terminal which can be reached via two nodes (see Applicant's figures 2-5, reference 26 and 36). Actually, Connection/Signaling Interworking Function (CSIWF) 505 and 515 are functionalities that are included in a VTS server. These two functions are alleged, as nodes, to both reach the roaming mobile. However, the roaming mobile is in service area 3 and CSIWF

505, the "originating CSIWIF" is in service area 1 (see para. 26), i.e., "... and determines which terminating CSIWIF 515 to use from the TLDN. The NFS 519 then forwards a set-up message to the terminating CSIWIF 515...". Only the CSIWIF 515 is used from the TLDN. Therefore, the mobile is not reached by both CSIWIF 505 and 515.

Regarding access to the mobile terminal; the Applicant's figures 2-5 illustrate the limitation in the first claim, "...based on the positional information, determining the network node of the first type via which the connectivity plane message is to be routed to the mobile terminal...". The Applicant respectfully submits that the language of the claim is relatively straightforward and the mobile terminal can be reached by two terminals of the first type (see claim 17, first type identified as media gateway). Lin does not disclose sending routing information via a node of a second type and a connectivity message via a node of a first type. The Lin reference does not teach reaching a mobile via two nodes. This being the case the Applicant respectfully submits that the Lin reference does not anticipate claim 1; nor does Lin anticipate claims 10 and 15, which are analogous to claim 1 and contain similar limitations.

Claims 2-7, 9 and 16-18 depend from their respective independent claims 1, 10 and 15 recite further limitations in combination with the novel elements of the independent claims. Therefore, the allowance of claims 1-7, 9, 10 and 15-18 is respectfully requested.

#### **Claim Rejections – 35 U.S.C. § 112**

Claims 14, 19, 20 and 21 recite the limitation "The switching node" in line 1. There is insufficient antecedent basis for this limitation in the claim. The Applicant has corrected the antecedent basis for these claims

#### **Claim Rejections – 35 U.S.C. § 103 (a)**

Claims 13, 14, and 21 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin in view of Bushnell (US Patent Publication 2004/0196966). The Applicant respectfully traverses the rejection of these claims.

Bushnell does not supply the limitations that are lacking in Lin. Neither Bushnell nor Lin together teach or suggest that, based on a location of the mobile, a connectivity message is routed to the mobile terminal via a first type of network node. And, routing information is routed to the mobile terminal via a second type of network node. The Applicant respectfully requests the withdrawal of the rejection of these claims.

Claim 8 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin as applied to claim 1 above and further in view of Brudos et al (US Patent 6505050. hereinafter Brudos). The Applicant respectfully traverses the rejection of these claims.

Brudos does not supply the limitations that are lacking in Lin. Neither Bushnell nor Lin together teach or suggest that, based on a location of the mobile, a connectivity message is routed to the mobile terminal via a first type of network node. And, routing information is routed to the mobile terminal via a second type of network node. The Applicant respectfully requests the withdrawal of the rejection of these claims.

Claims 19 and 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Lin as applied to claim 13 above and further in view of Smith (US Patent Publication 2002/0042277). The Applicant respectfully traverses the rejection of these claims.

The Smith reference does not supply the limitations that are lacking in Lin. Neither Bushnell nor Lin together teach or suggest that, based on a location of the mobile, a connectivity message is routed to the mobile terminal via a first type of network node. And, routing information is routed to the mobile terminal via a second type of network node. The Applicant respectfully requests the withdrawal of the rejection of these claims.

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



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